

REMARKS

Claims 1-23 are pending in the current application. Applicants have elected Group I, claims 1-23. Reexamination and consideration of all pending claims are respectfully requested.

35 U.S.C. § 102

The Office Action includes rejections of claims based in whole or in part on de Groot, U.S. Patent 6,249,351 ("de Groot"). Applicants submit herewith a Declaration in accordance with 37 C.F.R. § 1.131 presenting documentary evidence that Applicants conceived of the invention prior to the effective filing date of de Groot, June 3, 1999, and diligently worked to actually reduce the invention to practice from prior to June 3, 1999 through at the latest July 29, 1999. Applicants submit that the enclosed Rule 1.131 declaration conclusively demonstrates prior conception and diligent reduction to practice of the claimed invention. Thus Applicants respectfully submit that de Groot is not § 102(e) prior art against the present invention.

Removal of de Groot as prior art renders all claim rejections in the Office Action moot. Applicants submit that all claims conform to 35 U.S.C. § 102 and that claims 1-23 are allowable over the references of record.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all claims of the present application are in condition for allowance. Reexamination and reconsideration of all of the claims, as amended, are respectfully requested and allowance of all the claims at an early date is solicited.

Applicants believe that no fees are due in accordance with this Response beyond those included herewith. Should any fees be due, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account 502026.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Smyrski', written over a horizontal line.

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